



Montgomery County, Maryland

COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • www.montgomerycountymd.gov/council

The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.

*This meeting will be televised live on Channel 6;
repeated on 6/30/06 at 8 pm and 7/1/06 at 9 am*

Tuesday, June 27, 2006

9:30 **INVOCATION** - Reverend Lon Dring, Jr., Retired Executive Director Community Ministry of Montgomery County

9:35 **GENERAL BUSINESS**

- (1) A. **Announcement** - Agenda and Calendar Changes (Lauer)
 B. **Acknowledgement** - Receipt of Petitions (Lacefield)
 C. **Action** - Approval of Minutes: June 13, 2006 (Lauer)
 Approval of Closed Session Minutes: April 18, 2006

(2) 9:40 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to approve the Mutual Aid Agreement between Montgomery County Fire and Rescue Service and National Institutes of Health (NIH)(Boucher)
Public Hearing/Action is scheduled for 7/18/06 at 1:30 pm.
- B. **Introduction** - Resolution to approve Franchise Agreement for Use of Public Right-of-Way: AboveNet Communications, Inc. (Healy)
Public Hearing is scheduled for 7/18/06 at 1:30 pm.
- C. **Action** - Resolution to authorize payment of Clarksburg Town Center mediation costs(Farber)
- D. **Action** - Resolution to approve Development Impact Tax Memorandum of Understanding with City of Gaithersburg (Orlin)
T&E Committee recommends approval.
- E. **Action** - Resolution to support Healthy Maryland Initiative (McGuire)

(2) 9:40 **CONSENT CALENDAR** *(continued)*

- F. **Action** - Special appropriation to the MCPS' FY06 Capital Budget and amendment to the FY05-10 Capital Improvements Program - \$2,500,000 for Walter Johnson High School Modernization (Source: Current Revenue) (Levchenko)
ED Committee recommendation will be available 6/22/06.
- G. **Action** - Executive Regulation 8-06, Telecommuting Incentive Tax Credit (Healy)
MFP Committee recommends approval.
- H. **Action** - Executive Regulation 2-06, Clean Energy Rewards Program (Levchenko)
T&E Committee recommendation will be available 6/22/06.
- I. **Action** - Executive Regulation 10-06, Schedule of Fees for Permits, Licenses and Certifications (Levchenko)
T&E Committee recommendations will be available 6/26/06.
- J. **Action** - Executive Regulation 11-06, Permit Fees and regulations related to Construction Debris Reclamation Facility (Levchenko)
T&E Committee recommendations will be available 6/26/06.
- K. **Action** - Council appointment to the Montgomery County Airpark Liaison Committee: Steven A. Inkellis (Ferber)
- L. **Action** - Confirmation of County Executive appointments to the Adult Public Guardianship Review Board: Linda Anderson, Roger Peele, M.D., Elaine Hoover, Robert C. Elliott, M.D. (Ferber)
- M. **Action** - Confirmation of County Executive appointments to the Commission on Children and Youth: Yvette F. Butler, M.D. (Vice Chair), Jennifer J. Carson, Cheryl Danner, (Co-Chairs) Kelcey R. Klass, Susan Smythers, Colleen Robichaud, Patricia (Trish) M. Gill, Jihan Asher, Alex Kim, Anjalee Martin, Cassandra M. Maxwell, Ben Moskowitz, Kelly Outram, Emma H. Ross (Ferber)
- N. **Action** - Confirmation of County Executive appointments to the East County Recreation Advisory Board: B. Emmanuel Akinshola, Mark Pharaoh (Ferber)
- O. **Action** - Confirmation of County Executive appointments to the Firearm Safety Committee: August J. Corazza, Thomas R. Willats (Ferber)
- P. **Action** - Confirmation of County Executive appointments to the Upcounty Citizens Advisory Board: Heinz B. Bachmann, Joel M. Cockrell, Alan R. Duncan, Tobi Printz-Platnick, Loretta L. Dunn Schmitzer, Kevin G. Schwartz, Rebecca D. Willens (Ferber)

(2) 9:40 **CONSENT CALENDAR** *(continued)*

Q. Introduction - Special appropriations to the MNCPPC's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program (CIP): (Michaelson)

- 1) \$4,145,000 for Acquisition: Local Parks (Source: Program Open Space)
- 2) \$640,000 Greenbriar Local Park (Source: Program Open Space and Park and Planning Bonds)
- 3) \$750,000 for Ballfield Initiatives (Source: Program Open Space and G.O. Bonds)
- 4) \$1,000,000 for PLAR: Non-Local Parks (Source: Program Open Space and G.O. Bonds)
- 5) \$2,398,000 for Black Hill Trail Renovation and Extension (Source: Program Open Space and G.O. Bonds)

Public Hearing is scheduled for 7/18/06 at 1:30 pm.

R. Introduction of the following amendments to the MNCPPC's FY07-12 Capital Improvements Program: (Michaelson)

- 1) Elmhurst Parkway Neighborhood Park
- 2) Takoma-Piney Branch Local Park

Public Hearing is scheduled for 7/18/06 at 1:30 pm.

S. Introduction of following resolutions: (Michaelson)

- 1) Special appropriation to the MNCPPC's FY07 Capital Budget -\$4,000,000 for Acquisition: Non-Local Parks (Source: Program Open Space)
- 2) Amendment to the MNCPPC's FY07-12 Capital Improvements Program - Acquisition: Non-Local Parks

Public Hearing is scheduled for 7/18/06 at 1:30 pm.

T. Introduction - Resolution to approve License Agreement for Use of Public Right-of-Way: United RST LLC (Healy)

Public Hearing is scheduled for 7/18/06 at 1:30 pm.

9:50 **LEGISLATIVE SESSION Day # 23**

A. Approval of Legislative Journal: June 23, 2006 (Lauer)

B. Introduction of Bills

- (3) • **Bill 30-06**, Personnel - Retirement - Investments, sponsored by the Council President at the request of the County Executive (Healy)
Public Hearing is scheduled for 7/18/06 at 1:30 pm.
- (5) • **Bill 32-06**, Real Property - Property Tax - Disclosure, sponsored by Councilmember Andrews (White)
Public Hearing is scheduled for 7/18/06 at 1:30 pm.
- (6) • **Expedited Bill 33-06**, Property Tax - Tax Credit - Nonprofit Swim Clubs, sponsored by Councilmembers Silverman and Denis (Faden)
Public Hearing is scheduled for 7/18/06 at 1:30 pm.

9:50 **LEGISLATIVE SESSION Day # 23** *(continued)*

B. Introduction of Bills *(continued)*

C. Call of Bills for Final Reading

- (7) • **Bill 21-06**, Retirement Savings Plan - Distribution of Benefit (Boucher)
 MFP Committee recommends approval.
- (8) • **Expedited Bill 26-06**, Personnel - Retirement - Miscellaneous Amendments (Boucher)
 MFP Committee recommends approval with amendments.
- (9) • **Expedited Bill 14-06**, Personnel - Salary Schedules - Medical Doctors (Boucher/Planell)
 MFP/HHS Committee recommends approval.

10:20 **ACTION** on the following:

- (10) • Resolution to approve Pay Differential for Treatment Team Supervisors (Boucher/Planell)
- (11) • Resolution to approve FY07 Salary Schedule for Medical Doctors (Boucher/Planell)
- (12) • Executive Regulation 24-05, Amendment to Personnel Regulations to include a
 Salary Schedule for Medical Doctors (Boucher/Planell)
 HHS/MFP Committee recommends approval.

10:25 **DISTRICT COUNCIL SESSION**

- (13) A. **Introduction** - Zoning Text Amendment 06-21, Building Coverage - RE-1 Cluster,
 sponsored by Council President Leventhal (Zyontz)
 Action - Resolution to establish public hearing for 8/1/06 at 1:30 pm.

10:30 **WORKSESSION** on the following:

- (15) • **Bill 30-05**, Housing - Workforce Housing Program *(continued)* (Faden/McMillan)
- (14) • ZTA 05-16, Workforce Housing - Metro Station Policy Area (Wilson/Healy)

12:15 **RECESS**

- (16) 1:30 **PUBLIC HEARING** - Proposed Charter Amendments and recommendations of Charter
 Review Commission (Faden/Healy)
 Council worksession is tentatively scheduled for 7/11/06.
- (17) 1:30 **PUBLIC HEARING/ACTION** - Resolutions to create three Agricultural Districts:
 Richard and Nancy Biggs farm in Damascus; Bernice Doody et al. Trust farm in
 Damascus; and Lonnie Luther farm in Damascus (Wilson)
- (18) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the MCPS' FY06 Operating
 Budget, \$240,400 for the 21st Century Cybercafe Learning Center Project at Rockville
 High School (Source: State Grant) (Planell)
- (19) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County
 Government's FY06 Operating Budget, Department of Homeland Security - \$25,000 for
 National Capital Region Exercise and Training Strategy (Source: Federal Urban Area
 Security Initiative Grant) (Davidson)

- (20) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the County Government's FY06 Operating Budget, Department of Health and Human Services, STD/HIV Prevention and Treatment Program - \$467,060 for Housing Opportunities for Persons with AIDS Program Grant (Source: Federal HUD) (Planell)
- (21) 2:00 **SEMI-ANNUAL REPORT** of the Montgomery County Planning Board (Michaelson)
- 5:00 **ADJOURN**

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on July 11, 2006:

Dickerson Area Facilities Implementation Group: Matthew C. McMillen
Strathmore Hall Foundation Board of Directors: Jerome W. Breslow, Dianne Kay
Domestic Violence Coordinating Council: Chief Deirdre I. Walker, Judith Vaughan-Prather, Dudley Warner, Jr., Sharon Trexler, Dorothy Fait, Matthew J. Felix, Diane Hayes, Susan C. Mize, Donna Rismiller

FUTURE COUNCIL MEETINGS

County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.

Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.

Jul 4, 2006		HOLIDAY
Jul 11, 2006	9:30 am	Regular Session
Jul 18, 2006	9:30 am	Regular Session
Jul 25, 2006	9:30 am	Regular Session
Aug 1, 2006	9:30 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

July 11, 2006

- 1:30 pm **Expedited Bill 27-06**, Taxicabs - Amendments
- 1:30 pm **Bill 28-06**, Procurement - Health Insurance Preference
- 1:30 pm **Bill 29-06**, Housing Advisory Commission - Establishment
- 1:30 pm Zoning Text Amendments (ZTAs)
 - 06-17, Accessibility Improvement - Exemption

July 18, 2006

- 1:30 pm Zoning Text Amendments (ZTAs)
 - 06-18, Planned Retirement Community (PRC) Zone - Development Standards
 - 06-19, Florist - Office-Moderate Density (O-M) Zone
 - 06-20, Mixed-Use-Town Center/TDR (MXTC/TDR) Zone - Establishment
- 1:30 pm Resolution to approve Franchise Agreement for Use of Public Right-of-Way AboveNet Communications, Inc
- 1:30 pm Resolution to approve the Mutual Aid Agreement between Montgomery County Fire and Rescue Service and National Institutes of Health (NIH)
- 7:30 pm Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes

July 25, 2006

- 1:30 pm Damascus Sectional Map Amendment (G-854)



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Montgomery County Council
Legislative Information Services

Packet Index

Tuesday, June 27, 2006

Item Number	Note	Staff
Agenda Item #1	There were no Petitions received in LIS this week.	Lacefield
Agenda Item #5	This item has been deleted from the agenda.	White
Agenda Item #6	This item will be available on Monday, June 26.	Faden
Agenda Item #2T	This item will be available on Monday, June 26.	Healy



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ADDENDUM

Tuesday, June 27, 2006

(2) 9:40 CONSENT CALENDAR

- A. **Introduction** - Resolution to approve the Mutual Aid Agreement between Montgomery County Fire and Rescue Service and National Institutes of Health (NIH)

(Boucher)

Change:

Action is tentatively scheduled for 7/11/06.

Deferred to later today:

- G. **Action** - Executive Regulation 8-06, Telecommuting Incentive Tax Credit
MFP Committee recommends approval.

(Healy)

Deferred:

- H. **Action** - Executive Regulation 2-06, Clean Energy Rewards Program
T&E Committee recommendation will be available 6/22/06.

(Levchenko)

Add:

- U. **Introduction** - Special appropriation to the County Government's FY07 Operating Budget, Montgomery County Fire and Rescue Service - \$2,590,000 for Apparatus Management Plan (Source: Consolidated Fire Tax District Fund)

(Davidson)

Public Hearing/Action is scheduled for 7/11/06 at 1:30 pm.

9:50 LEGISLATIVE SESSION Day # 23

B. Introduction of Bills

Added: (3.1)

- **Expedited Bill 31-06**, Maryland Emergency Management Assistance Compact - Adoption, sponsored by the Council President at the request of the County Executive

(Boucher)

Public Hearing/Action is scheduled for 7/18/06 at 1:30 pm.

Deleted: (5)

- **Bill 32-06**, Real Property - Property Tax - Disclosure, sponsored by Councilmember Andrews

(White)

(6)

- **Expedited Bill 33-06**, Property Tax - Tax Credit - Nonprofit Swim Clubs, sponsored by Councilmembers Silverman, Denis and Floreen

(Faden)

Change:

Public Hearing is scheduled for 7/11/06 at 1:30 pm.